

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

MAXWELL KADEL, et al.,

*Plaintiffs,*

v.

DALE FOLWELL, et al.,

*Defendants.*

No. 1:19-cv-00272-LCB-LPA

**SUPPLEMENTAL DECLARATION OF AMY RICHARDSON**

I, Amy Richardson, do hereby declare as follows:

1. I am more than 18 years of age, have personal knowledge of the facts set forth herein, and am otherwise competent to testify to the matters set forth herein.
2. I am a partner with Harris, Wiltshire & Grannis LLP, and counsel for Plaintiffs in this matter. I submit this declaration in support of Plaintiffs' Opposition to State Health Plan Defendants' Motion for Partial Summary Judgment.
3. Attached to this declaration as Exhibit A is an excerpt from the deposition transcript of Plaintiff Sgt. Dana Caraway, not already filed with the court. It is a true and correct copy of the document.
4. Sensitive, protected, and/or irrelevant information has been redacted on certain pages of the attached exhibits in accordance with Federal Rule of Civil Procedure 5.1(a) and Local Rule 5.4(a)(3), with black boxes placed over the redacted text.

I declare under penalty of perjury under the laws of the United States of America  
that the foregoing is true and correct.

Dated: December 30, 2021

/s/ Amy Richardson  
Amy Richardson

## **CERTIFICATE OF SERVICE**

I certify that the foregoing document was filed electronically with the Clerk of Court using the CM/ECF system which will send notification of such filing to all registered users.

Dated: December 30, 2021

/s/ Amy E. Richardson  
Amy E. Richardson  
N.C. State Bar No. 28768  
HARRIS, WILTSHIRE & GRANNIS LLP  
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Raleigh, NC 27605-1155  
Telephone: 919-429-7386  
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# Exhibit A

1 break because I think we've been going for quite a  
2 while.

3 (SHP Exhibit 7, Caraway Payment  
4 Advice, marked for identification, as of this  
5 date.)

6 Q. Sergeant Caraway, have you seen a  
7 document like this before?

8 A. Yes.

9 Q. Would you refer to this as your pay  
10 advice?

11 A. That would be a monthly pay stub, yes.

12 Q. Does that include various deductions for  
13 benefits; is that correct?

14 A. Correct.

15 Q. You mentioned SEANC dues. Is that one  
16 of the deductions there?

17 A. That is one of the deductions.

18 Q. It looks like at the top there is says  
19 BYUP 8020 PT. Is that the deduction for the State  
20 Health Plan?

21 A. No. That is my monthly out-of-pocket  
22 expense for the State Health Plan.

23 Q. The deduction from your pay for the cost  
24 of the State Health Plan?

25 A. Yes.



**Exhibit**  
**0007 SHP**  
Caraway

Pay Period: 05/01/2020 through 05/31/2020  
Check Date: 05/29/2020

Name: [REDACTED] Caraway  
Organization: 1901-Public Safety

Personnel No: [REDACTED]

| Earnings                 | Deductions | Taxes      | Net Pay   | Deductions                | Current  | YTD      |
|--------------------------|------------|------------|-----------|---------------------------|----------|----------|
| Current: 4,567.09 -      | 1,643.48 - | 1,010.52 = | 1,913.09  | # BYUP 80/20 PT           | 50.00    | 250.00   |
| YTD: 21,708.16 -         | 8,535.50 - | 4,675.29 = | 8,497.37  | ** Total Health Insurance | 50.00    | 250.00   |
| Earnings                 | Hours      | Current    | YTD       | * 401k Savings Plan EE    | 50.00    | 250.00   |
| Regular Salary           |            | 2,887.47   | 15,221.39 | * 457 Savings Plan EE     | 50.00    | 250.00   |
| Vacation Leave           |            |            | 1,428.65  | * TSERS EE                | 274.03   | 1,302.50 |
| Sick Leave               | 24.50      | 569.14     | 1,422.85  | 401K Loan                 | 186.44   | 932.20   |
| Holiday Comp Leave       |            |            | 1,300.88  | 457 Def Comp Loan Payment | 582.32   | 2,911.60 |
| Paid Holiday             |            |            | 185.84    | SEANC Dues                | 14.00    | 216.75   |
| State of Emergency Leave | 24.50      | 569.14     | 569.14    | SEANC Insurance           | 53.59    | 267.95   |
| ** Total Base Pay        |            | 4,025.75   | 20,128.75 | Colonial Life Ins Co      | 94.25    | 471.25   |
| Comm Disease Comp Payout | 14.70      | 341.48     | 341.48    | Protective Life Ins Co    | 227.83   | 1,139.15 |
| Holiday Premium Pay      |            |            | 640.19    | CPO Foundation            | 10.00    | 50.00    |
| Shift Premium 10%        | 12.25      | 28.42      | 426.30    | American Heritage Ins Co  | 27.52    | 137.60   |
| CDE Worked Premium       | 7.38       | 171.44     | 171.44    | SS Police Benev. Assoc.   | 23.50    | 117.50   |
| ** Total Other Pay       |            | 541.34     | 1,579.41  | CO                        |          | 239.00   |
|                          |            |            |           | ** Total Other Deductions | 1,593.48 | 8,285.50 |
|                          |            |            |           | Total Deductions          | 1,643.48 | 8,535.50 |
| Total Earnings           |            | 4,567.09   | 21,708.16 |                           |          |          |

| Tax Authority  | Tax Type        | Status | EXMT AddlAmt | Cur Tax  | YTD Tax  | Cur Txbl Earn | YTD Txbl Earn |
|----------------|-----------------|--------|--------------|----------|----------|---------------|---------------|
| Federal        | Withholding     | Single |              | 490.97   | 2,221.74 | 4,143.06      | 19,655.66     |
| Federal        | Social Security |        |              | 280.06   | 1,330.41 | 4,517.09      | 21,458.16     |
| Federal        | Medicare        |        |              | 65.49    | 311.14   | 4,517.09      | 21,458.16     |
| North Carolina | Withholding     | Single |              | 174.00   | 812.00   | 4,143.06      | 19,655.66     |
| Total Taxes    |                 |        |              | 1,010.52 | 4,675.29 |               |               |